

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

RONALD SHAMON and PATRICIA SHAMON,)	
Plaintiffs,)	
)	
v.)	Docket No. 04cv11674-WGY
)	
UNITED STATES OF AMERICA,)	
Defendant.)	

**UNITED STATES OF AMERICA'S MOTION
FOR LEAVE TO FILE AMENDED ANSWER**

Defendant, the United States of America, respectfully moves pursuant to Federal Rule of Civil Procedure 15(a) for leave to file an Amended Answer, adding an additional affirmative defense. Specifically, Defendant requests leave to add the following affirmative defense to its Answer:

Plaintiff's recovery against Defendant for pain and suffering, loss of companionship, embarrassment and other items of general damages, is limited to the damages recoverable under Massachusetts General Laws Chapter 231, § 60H.

In support of this Motion, Defendant submits the accompanying Memorandum of Law in Support of its Motion for Leave to File an Amended Answer, which sets forth the Government's arguments in detail. Counsel for the Plaintiff does not object to this Motion.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/ Damian W. Wilmot
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Dated: September 16, 2005

CERTIFICATION UNDER L.R. 7.1

Counsel have conferred pursuant to L.R. 7.1(A)(2), and Plaintiff's counsel has no objection to the Defendant's filing of this Motion.

/s/ Damian W. Wilmot
DAMIAN W. WILMOT
Assistant U.S. Attorney